

10/695,884

REMARKS

In that action, the Examiner has required restriction under 35 U.S.C. § 121 between the following groups of claims:

- I. Claims 1-6 are, drawn to a vehicle hydraulic pressure reverse system, classified in class 60, subclass 413; or
- II. Claims 7-13 are, drawn to a vehicle hydraulic pressure reverse system, classified in class 74, subclass 665A.

Withdrawal of the raised restriction requirement is respectfully requested in view of the following remarks.

In response to the raised restriction requirement, the Applicant amended claims 7-13 so that those claims now all ultimately depend from claim 1. In view of such claim amendments, the Applicant respectfully submits that claims 1-13 are now all drawn to a single invention.

In requiring restriction, the Examiner also notes that the inventions are classified in different classes and subclasses, thus alluding to the fact that the inventions would involve divergent fields of search. However, as the Examiner is well aware, such a factor per se is not a basis for determining distinctiveness in accordance with MPEP 806.

Furthermore, it is respectfully submitted that there is nothing in 35 U.S.C. § 121 that gives the Patent Office the authority to require restriction between different statutory classes of claims unless the claims cover "independent" and "distinct" inventions. It is respectfully submitted that the statutory requirements have not been met for Groups I and II. Therefore, the Examiner should withdraw the requirement for restriction and provide the Applicant with an action on the merits for all claims contained within this application.

In summary, it is respectfully submitted that all of the pending claims are believed to be directed to a single invention. However, so as to be fully responsive, the Applicant elects the invention disclosed in Group I (claims 1-6) and it is requested that, without further action

10/695,884

thereon, claims 7-13 be retained in this application pending disposition of this case and for possible filing of a divisional application(s).

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,


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